2: Hudson E-4, 5 (1936) 1938 RQ2 Kazak RQ2

The general practice of allotting to a man's sons, as they came of age, their share of the inheritance was an important factor in facilitating the formation of new uru groups. This process has been mentioned in the discussion of the nature of the uru and will be evident again in a consideration of other Turkic and Mongol peoples.

DEBTOR AND CREDITOR

The wealthy patron and the poor relative frequently appear in the relation of creditor and debtor. The importance of this relation is reflected in the special terminology for loans of different kinds of animals; savɒn, for example, means the loan of a milch cow, and majɒn, the loan of a horse. Animals were frequently borrowed for the purpose of paying the bride price. Such loans were made in the presence of witnesses. Ujfalvy[64] says that one hundred percent interest was customary. According to my information interest was paid on these loans in the form of labor by the debtor for the creditor in addition to repayment of the animals. Dingelstedt[65] does not specify the nature of interest but remarks that there were generous individuals who lent without interest. He adds that the site of the winter quarters was sometimes offered as security for the loan. My informants said that in default of payment the debtor was obliged to work for his creditor without payment until the value of the loan had been covered at the rate of about seven sheep a year, which was the approximate wage of a shepherd.

There is, apparently at least, a difficulty here. Under the patriarchal relationship existing between the wealthy herd owners and their poor relatives, the latter might be already serving his patron as shepherd and general handyman without wages for his living only. How then would he repay the debt? The only information I could get was that the unfortunate individual simply kept on working as before.

There seems to be a very important point involved here, much more so than the dilemma of the unfortunate defaulter, namely the nature of the relationship between patron and client and the significance of the bonds of kinship in the uru. There are apparently two tendencies involved, or two points of view from which the relationship can be considered. Regarded as a benevolent patron and protector, the wealthy man gave aid, protection and support to his poorer relatives in recognition of the claims of kinship and as a natural obligation of his position in return for the services of his dependents as herdsmen in times of peace and armed retainers in war. No exact mechanical balancing of accounts on behalf of each was possible. On the other hand the wealthy herd owners may be regarded as harsh exploiters of the poor, intent only on exacting from them as much as possible in the form of service and labor, and giving in return as little as possible.

Tlenshiev was clearly aware of these divergent points of view. After talking about the loan of cows, horses or sheep as might be needed by the rich to their dependents, he grew suddenly thoughtful and then explained that although these facts had been used by "coun-

[64] Ujfalvy de Mezö-Kövesd, *Expédition scientifique*, 2: 112.
[65] Dingelstedt, *Le Droit coutumier*, 216.

2: Hudson E-4, 5 (1936) 1938 RQ2 Kazak RQ2

426 602

ter-revolutionists" and "bourgeois historians" as the basis of a claim that "primitive communism" existed among the Kazak I must not permit myself to be led astray by them. Actually, he said, they were merely devices used by the ruling class to cloak their exploitation of the masses and hold them in subjection.

Both aspects of the relationship of client and patron must of course be borne in mind, and one must distinguish between the theory of uru solidarity and its practice. As regards the details of the debt relationship it is not unlikely that the making of loans for interest as a more or less business transaction was a comparatively recent development influenced by trade relations with the Central Asian commercial centers to the south and later with Russia on the north.

It is interesting to note as an indication of the advantageous position of the patron that if he himself became entangled in debts the amount was requisitioned from among his dependents. Grodekov mentions the practice of taking up a collection to pay the debts of a rich man.[66] Further aspects of the patron client relationship will be considered later in relation to class stratification.

[66] Dingelstedt, *Le Droit coutumier*, 222–23.

/27/ CHAPTER III.

602 Degrees of kinship. -The authority of the parents. -Age of majority. -The clan of the mother. -Adoption. -Guardianship. -Blood brotherhood.

An unknown person receives questions first of all about his clan (Ne el sen? Syuyaging ne?). If the inquirer is of the same clan, then he asks about the lineage, then the sublineage, etc., down to the group, after which the direct descending list of the ancestors begins. Each is supposed to know his ancestors. "He who does not know seven ancestors is a backslider," says the proverb (yete atasyn bil'megen murted). (1)These inquiries serve as a testimonial of the

1. We were able to ascertain more than once that even children aged 10-11 knew their seven ancestors exactly.

individual. Guests are received graciously or rudely on the basis of the recognized degree of kinship. Kinship is reckoned, as they say, to the fortieth degree.

618 Transfer from one clan to another is impossible, but living and nomadizing with a strange clan is permitted.

582 Marriages are concluded between hordes, clans, lineages, etc. to the seventh "ancestor", i.e., the seventh degree of kinship inclusively, by the male line (2), and in the opinion of several people, to

2. Matchmaking takes place when seven ancestors have passed (yete ata utkensong). If anyone has a love relationship with a person more closely related than this degree of kinship, he is banished from the society (yurttan chygarady). Communication of bii Khalmakhammed, Chimkent uyezd.

the fourth and even the third degree. Among the Kirgiz, according to the statement of bii Kurpetay Dauletkulov, marriages are concluded to the fifth generation. At the present time, closer relatives marry, even from the second generation, for which they are reproached by the words: "You are spoiling the customary law." But they do not dissolve the marriage and do not impose a penalty. (3) Mullah Asan

3. In the Svanetiya "Even those whose kinship is reckoned at the twelfth degree cannot enter into marriage." (Vestnik Evropy, August, 1886).

673

concepts of stealing and brigandage. Urlyk is stealing or brigandage; ury is thief, robber and criminal in general, urlamak is to steal, tartyb, almak is to take away, to ransack. Theft accompanied by violence is not judged more severly than simple theft.

Among the Kirgiz, there is more severe prosecution of the theft of a considerable number of objects, for clear robbery and for taking away by force (bii Daniyar).

674

Robbery accompanied by violence occurs in the following forms among the Kazakhs:

1) The plundering of every kind of traveler: such as Sart merchants and travelers. It usually opens with /160/ a request for nasvay, tobacco, or with a double meaning, for that "which is in the belt."

2) Driving horses out of the herd at night.

3) The latest kind of robbery is asking for a ticket, the presentation of which is ignored, the declaration by the robber that he intends to rob, and frightening by various threats and charges, with the request to give this or that. The aim of these circumlocutions is to discover whether the traveler has any chances of defense or not. However, robbery by force is rarely accompanied by murder.

602 685

According to the reports of the biis Sultan and Khalmakhammed it is permissible to rob or to kidnap and not to return the objects gained in the cases below:

1) The father and grandfather can rob from a son and grandson as often as desired, and as much property as desired. It is even possible to sell everything a son has. It is permissible also to sell the son into bondage, i.e., to surrender him into service for a year, and to spend the money received (balanyng uzin kyzmetke satyb zhese kham khallal').

2) A son can rob from his grandfather and father up to three times. The fourth time a fine is imposed.

3) A kinsman can rob another kinsman to the third degree of kinship (first cousins).

4) The dzhien asks his uncles (older and younger brothers of his father) for a gift, and if he does not receive it, he can rob them up to three times. If he steals too much, they take away the superfluous part from him, leaving him 1 or 2 heads of livestock. If he steals a horse which is a racer (bayge at) the uncle can demand its return in exchange for something else. If he steals for the fourth time, they tell him: "You have forfeited the rights of a nephew" (dzhien dikten ketting).

602 The wife who leaves her husband in a disagreement should not
685 take anything with her. This would be robbery.

Robbery is permissible between relatives more distant than the third degree, with the obligation of return in so far as possible in the following cases: a) for the payment of kalym. because the increase of descendants is /161/ a laudable affair; b) for the payment of a debt; c) in time of famine; d) for a necessary trip and for the pursuit of thieves. (1)

[626] 1. Sometimes when something is missing in a village they put a bakan (pole to raise the changarak/the hoop in the center of the tent top/ when putting up the tent) up in the middle of the village and ask the thief to place the missing object under the bakan, threatening otherwise to invite the mullah in to discover him. The mullahs have various devices for discovering a thief. They bake a flat cake, blow on it (dem salady), and give everyone a piece, and when the thief swallows his piece, he will choke on it. They put a bladder (kuuk) in the hand of everyone, in turn, and in the thief's hand it swells (kebedi). They blow on a metal pitcher, calling the names of everyone in turn. When the name of the thief is called, the pitcher begins to turn around.

685 Furthermore these same biis permit taking away a horse from a known thief who is setting out to steal, if there is proof of this. They add however, that ayb is paid if the horse is taken away without proof, even though it be from a man banished from the community for stealing or one deprived of good name (muttakham). Taking away game caught by an eagle is not robbery but is taking the "chiralga" gift by force; therefore they require it to be returned without ayb. If the taking of the game were done secretly, then it would be stealing, and ayb would be paid. Finally, it is permissible to steal in return for stealing, i. e., baranta.

E. A. Aleksandrov reports from the words of the honorable Kazakhs, Umbet Galiev and Nurman Sarchinov, of the Kazalinsk uyezd, that stealing from the son and from the father is not permitted. In general such an act results in punishment for the younger persons, and ayb or shaming before the village for the older.

674 Horse stealing is more predominant than stealing of other livestock because horses are easier to arouse (chapchan). It takes

8:Krader & Wayne E-4 (no date) 1955 RQ2 Kazak RQ2

BRIEF

The Kazakhs, one of the major Turkic peoples in the USSR, live in a strategic area in the heart of Soviet Central Asia. There are evidences of deep and continuing conflict between their way of life and the policies imposed upon them by the Soviet Communists. This study was intended to describe those sources of conflict and to indicate their implications for psychological warfare. A secondary objective of the study was to determine how well the vulnerabilities of a people inaccessible to direct methods of research can be assessed.

The traditional Kazakh way of life is pastoral nomadism; they abhor the settled farming life. Their customs and values reflect this independent heritage, and the Soviet drive during the 1930's to collectivize the nomads met with resistance. Between 1926 and 1939, the Kazakhs suffered a net population loss of almost one million--nearly one-fourth of their number in 1926. This loss was the result of starvation and disease, mass arrests and liquidations, flight across the border, and migration to neighboring Turkic peoples and to the urban and industrial areas of Siberia, all factors indirectly attributable to the imposition of Soviet control.

The organization of Kazakh society according to kin groups has been an important factor in contact with the Soviets. It has eased Kazakh transition to collective life, since most collective farms comprise single groups of blood relatives, but at the same time the closeness of the family ties has frequently led to the charge of nepotism by the Soviets.

The nativistic revival of Kazakh interest in their traditional heroes and customs was encouraged by the Soviets as a wartime morale measure. This revival--at once political, religious, and cultural in nature--became so strong that the Soviets considered it a threat and have attempted to suppress it. The importance of blood ties to the Kazakhs heightened their resentment of Soviet condemnation of their national heroes, whom they regard also as their ancestors. The Kazakhs' veneration of their past history and culture is fostered by their native religion, a blend of ancestor worship and shamanism. This folk religion is not formally organized. Administratively, the Soviets treat the Kazakhs as Moslems, although it is difficult to say how much Islam has influenced the rural Kazakhs.

The Kazakhs appear to be making only a minimal contribution to important republic activities which the Soviets are trying to encourage--industry and transport, Party and government. One explanation may be that the Kazakhs are not given equal opportunities; there is some evidence that the Slavs regard them as inferiors. Another reason is that the Kazakhs are not coming forward for training and advancement. Apparently they prefer to keep apart from the Slavic population of the republic; this conclusion is supported by the low rate of intermarriage between the two peoples. The Kazakhs appear to be opposed to many aspects of Sovietization, but at present their resistance is largely passive.

The local press proved to be a most useful source of information in the present study. The reports of local reactions and activities in relation to the official Party line provided many indications of strengths and weaknesses, trouble spots and failures. In addition to this source, research methods from many disciplines were combined to utilize all available data and information.

"FAMILY RELATIONS"

K
G01
G48
197

The organization of Kazakh society by kin groups, bound together by strong ties of blood relationship into disciplined and cooperative units, has both interfered with Soviet planning and increased the extent of Kazakh suffering. The resistance of one person involves all his relatives in the ensuing punishment. At the same time these large family groupings do not fit into the Soviet conception of social and economic organization. The Soviets have, in fact, an explicit policy against "family relations." This phrase has two meanings, one literal, the other figurative. Literally it means nepotism, the use of his position by a man in power to obtain a good post for a relative. Figuratively, it denotes personal relationships on the job, relationships which the Soviet regime feels may permit one person to cover up the failings of another, and which may even become conspiratorial.

KN
[201]

In Kazakh society all action and decision take place within the framework of very literal "family relations," and this pattern inevitably is carried over into Soviet-sponsored activities. The bulk of the membership of a collective farm in Kazakhstan today is likely to comprise a single group of blood relatives, its leaders the older men of the group. This is particularly true of those areas in which herding remains important. The retention of kin group solidarity, where it has been permitted, has had two important effects. It has eased the adjustment of the Kazakhs to collectivization, while at the same time making possible maximum cooperation between collective farm members in covering up violations of Soviet directives and policy.

K
[156]

The problem becomes even more acute when Kazakhs are drawn into industry and into the Party and government. They naturally try to surround themselves with their relatives. Paradoxically, Soviet policy has often tended to foster this tendency; political affiliation, like everything else among the Kazakhs, tends to be a family matter, and a willingness to cooperate with the Communists is confined to certain—usually a very few—families in a given locality. Yet, political (Communist) reliability is necessary for admission into governmental, Party, and technical fields. Hence if Kazakhs are to be utilized at all in these activities, the chances are good that many of them will be related, whether through deliberate nepotism or not. And with this go all the hazards the Soviets see in "family relations."

SOVIET ADMINISTRATION

K
G48

In general, the Kazakhs participate only to a restricted degree in higher-level activities, particularly those which the Soviets feel are vital for the building and consolidating of the USSR—industry, transport, the Party, and government. There appear to be two reasons for this. The first is that the Slavs do not extend to the Kazakhs equal opportunity for training and advancement. Experiences reported by Turkic soldiers captured from mixed units in World War II suggest that they are generally looked upon as inferiors. Furthermore, in a society in which political

KN 175

times and relations existed as much between nomad and nomad, between city and city, as between nomad and town.

During this period a number of problems of intergroup and international relations arose which impose their stamp on the peoples of Central Asia to this day. As previously noted, the political unity of the Turks in Central Asia was gone by the 15th and 16th centuries. Many of the Turkic bands infiltrated farming zones, and groups began to settle down and take up agriculture. This process had actually begun earlier, in the eighth and ninth centuries. As the Turks moved from the eastern steppe to the western, into the valleys and oases of Turkestan, they adopted the practice of irrigation farming, subjecting or displacing the Iranian peoples already settled in the region. The succession of empires from the 12th to the 15th centuries, under Genghis Khan and his successors down to Tamerlane, disrupted the pattern of infiltration. With the collapse of these empires, many new Turkic communities were left stranded and had to seek their own adjustment to the circumstances.

From the 15th century on, the Turks gradually separated into two great economic wings, the agricultural and the stock-raising, the settled and the nomadic. This split was permanent and rarely to be bridged. Indeed, before and during the period of the great empires, from time immemorial down to the 15th century, traditional trade patterns had developed between herders and farmers, giving pastoral products (such as hides, wool, milk, and felt) and animals (as food, draft, and transport) in exchange for grain, textiles (cotton and silk), metalwork, and other products of farm and bazaar. But after the collapse of the empires the pattern fell apart, and through the 16th to 19th centuries the nomads raided and enslaved the settlements as often as they traded. The nomads took produce and slaves from neighboring Iranian communities, from Russian communities, and to a lesser extent from Turkic farming communities.

With the end of the era of political integration under the empires and the ensuing economic cleavage between herder and farmer, there came a split between the religion of the herder and that of the farmer. Farmer and city-dweller alike are thorough Moslems. They have been so for more than a thousand years—and so great were the centers of Islam that many aspects of modern mathematics, geography, astronomy, and physics rest on the achievements of thinkers in these great cities of Central Asia. By contrast, the religion of the nomad on the steppe is an amalgam of many cults—shamanism, fire worship, ancestor worship, bits of Islamic demon lore, devil lore, and spirit lore. The nomads have been only superficially influenced by the Koran and the institutions of Islam.

KN 173
K 173 602

However, considerations other than a common political system, economic interest, or religious cause serve to weld a people together. Among the steppe nomads, a common tradition and ties of blood-relationship have evoked a vague expression of Turkdom. This common tradition is usually transmitted by word of mouth from generation to generation; it comprises the recitation of the ancestral line, together with the great and noble deeds of the ancestors. Tales of battles and empires won or lost are recounted. They are not fiction, for they are

KN 173 believed. These people do not make a distinction between truth and fiction in such matters.

K 173 602 The preservation of the genealogy likewise establishes a basis for intergroup relationships. In time of need, one Turkic group may call upon another for aid, and may even be adopted into the stronger group. For instance, over many centuries the Uzbeks had gradually drifted apart from the Kazakhs. The Uzbeks are farmers, the Kazakhs herders. K [698] The Uzbeks are genuinely Islamic, the Kazakhs only superficially so. Yet within the Uzbek domain one group traced its ancestry back over 800 years to the Kereit, a people mentioned in the chronicles of Genghis Khan. By the 19th century this people had become personified as one man—the founding ancestor Kerei. Among the Kazakhs there existed a group which also called itself Kereit and which traced descent from this ancestor. Eight hundred years after the traditional founding of the line, the Kazakh Kereit joined the Uzbek Kereit as "kinsmen," although a small group did later rejoin the Kazakhs. This episode is recounted by a Kazakh who became a Russian scholar in the 19th century—Valikhanov, a nobleman of high intellectual endowments. How much of the story is romanticized fiction, and how much is fact, is hard to say but that is beside the point. The Kazakhs and the Uzbeks believe it is true and act accordingly.

These principles—which underlie fact—are of signal importance in understanding many experiences recorded in the Soviet period. They K KN [166] make it possible to comprehend why a youth in a Kazakh village in 1950 can recite his ancestry back over many generations. They explain in part (but only in part) how Turks can shift group affiliations, a tendency which makes the interpretation of Soviet census data something of a problem. Such shifting makes for a certain fluidity in the population picture in Central Asia and is one response to excessive rigidity and pressure from Moscow. This fluidity below in response to rigidity from above creates a situation of tension, and is at the same time an expression of that tension. This tense, strained situation will receive much attention in the pages which follow.

THE KAZAKHS

K 175 698 During the 16th century the Kazakhs gradually occupied the steppe between the Altai Mountains in the east and the Ural River in the west, north of the Bet-Pak-Dala (Hungry Steppe) and the Aral Sea. In the same century, Russians and Cossacks entered the farming regions directly north of the Kazakh steppe. To the south, along the Syr-Darya River to the Aral Sea, lay the farming country of the Uzbeks. The Kazakhs of this period were roughly grouped into three clan confederations or hordes: the Great Horde, whose territory traditionally has been in the eastern Kazakh steppe, from the Aral Sea to Balkhash and the southern Altai chain; the Middle Horde, who occupied the central and northern steppe, north of the Aral Sea as far as the black-earth region of southern Siberia, and east to the Altai chain; and the Little Horde, whose territory extended west of the Aral Sea to the Ural River and the northeastern part of the Caspian Sea.

each clan had a territory distinctly its own, separated by widely recognized boundaries from the territories of neighboring clans. Lineages within each clan likewise had pasture lands of their own, the land of each lineage separate from the others; villages had separate lands for their own grazing, and known routes over which they moved from pasturage to pasturage in a fixed annual round.[1]

There is thus a correlation between neighborhood and kinship; the closest neighbor of the Kazakh household head was most likely to be his brother, father, father's brother, or father's brother's son. This close relation between the two social bonds is of more than theoretical interest; it has been the basis for an ideological warfare among various Soviet camps in different periods of recent history. Another feature of Kazakh society clarifies this relationship between kinship and neighborhood. The social bond of the Kazakhs, the means whereby two individuals demonstrate their membership in the common society of Kazakhdom, is the genealogical tree. Because of Kazakh nomadism, the relationships among the different branches, whether clans or lineages or villages, are loose, occasional. If two Kazakhs meet and are unknown to each other, they trace their genealogies for each other until a common ancestor is found. This common ancestor then becomes the point of reference for the two, the means whereby they establish whether they are more or less equals, or if not, which is superior. The ancestor in common establishes a basis for mutual aid and cooperation.

The number of generations traced in the genealogies to a common ancestor determines the closeness of the relationship; the fewer the generations, the closer the kinship, and the closer in space are the villages, camps, and pasturages of the Kazakhs. These genealogies are the membership roll, the constitution, the charter of incorporation, and the historical record of the different groups; they are either recited baldly, in answer to questions concerning ancestry, or they are the skeleton around which folk epics are created.[2] These folk epics, which have suffered a peculiar fate under the Soviets, are long recitations or chants concerning the deeds of the ancestors. The Soviet-era epics of Djambul are quite different; Djambul's so-called epics are songs in praise of Stalin.

Kazakh descent lines are not all equal; a father who is the founding ancestor of all the members of a horde or clan or village may have several sons, who are ranked according to their order of birth, the eldest son having the highest rank. The descendants of the sons will then recognize among themselves a relative rank order according to which of the sons they were descended from. The father or founding ancestor of the entire line is himself a member of a still larger group with rank according to order of birth and descent.[3]

The division of Kazakh society into social classes is also related to the ranking of descent lines. The same ties of blood and common

[1] Radloff (105), 1891, pp. LI-LVI.
[2] Samoilovich, in Rudenko *et al*, 1930, pp. 305 ff. For a genealogy still preserved today, see Makanov, 1947, pp. 1-28.
[3] Khorosin, 1899, pp. 41-42.

judge dispose of property which was not his own.[1] The unit of property ownership was the family, and still is.

The clan was a military unit, and supplied companies of armed and mounted men to the armies of the khans and sultans. Each clan company fought under its own leader, and had its own distinctive rallying cry (in Turkic uran, from which "hurrah" is derived) which was usually a repetition of the names of illustrious leaders and warriors of the clan. These companies were used not only in wartime but in any time of trouble; they were called to help during feuds, for example, or in fending off thieves.

The clan supplied the khan with taxes in kind (usually livestock), in money, and in labor service. Taxes in money were not common, since money itself was a rarity on the steppe, and was to be found in the hands of traders and moneymen rather than among clansmen or clan leaders. The taxes paid by the clan to the khan were collected by the clan leader and paid for the group as a whole. Aside from livestock, the clan paid in labor service, reckoned in terms of transport duty and communications (messenger service). And the clan supplied able-bodied men in military companies under its own leaders, as required by the khan. The last century in which this system actually worked as a normal matter was the 18th century. By then the Kazakhs had been definitely divided into three hordes, and the khans ruled over each horde separately. By the 19th century, there were only two types of khans, those who came forward to unite their people against the Russians, such as Kenesary and Taimanov, and those who were maintained by the Russians, such as Khan Bukei of the Inner Horde, and his line.[2]

It is perhaps surprising to find a society in which the members are all theoretically related to each other by ties of blood, yet which is riven by class distinctions and by unequal distributions of ranks and privileges. Yet this is the case among many peoples of Central Asia, such as the Uzbeks and Kazakhs, and of Eastern Asia, such as the Mongols. The basis of social differentiation is the ranking of descent lines according to the order of birth of the founders. Once this differentiation is established, and the society is divided into aristocrats (by virtue of primogeniture) and commoners, more complex divisions follow. A leader or khan is then set up as the first among the aristocrats, and he forms a court of aides, ministers, viceroys, field commanders, priests, and so forth. The khan may ennoble a commoner as a reward for bravery in the field, or because he is literate and hence of exceptional utility to the state.

Theoretically, then, all Kazakhs are related to each other by ties of blood. This does not mean that they are all actually descendants of one founding ancestor, for such a figure lies so far in the past that it is necessarily mythical; the truth or falsity of the tradition can no longer be shown. In addition to the myth, however, the establishment of kinship is also achieved by another kind of fiction. Kinship may be based on adoption, whereby a son is regarded as though he were the

[1] Valikhanov, 1904, pp. 150 ff.; Radloff (104), 1893, pp. 513-514; Ibragimov, 1878, pp. 234-237.
[2] Tomin, 1864, pp. 2-6; Abdykalykov and Pankratova, 1943, pp. 140-241.

biological progeny, or on the fusion of two descent lines, which is more complicated. According to this process, one village or lineage or clan may leave its ancestral camps and pasturages and request admission into another. The host clan agrees, accepts the newcomers not as guests but as kinsmen, and gives them a fictional genealogy and fictional kinship relations. These relationships have both religious and social significance.[1] In religious terms the fictions are needed to make the guests acceptable to the local and ancestral spirits; in social terms, these kinship relations are the social relations—or at least they were until recently, and they still exert a strong influence today. A fusion of two descent lines in this manner results from fission or cleavage within one descent line; this fission may be caused by quarrels between two leaders, or by loss of herds which may cause a kinship group to break up, leaving one segment to seek admission into another group.

Fictional kinship extends also to slaves. A certain amount of slavery existed for debt or for punishment of criminals, but most of the slaves, who were never a numerous group, were captives taken in feuds and wars.[2] Such captives did not remain slaves long, as a rule; they were either put to death, or freed and accepted into the civil life of Kazakh society. If freed, they were given a fictional kinship status which soon became blurred over and indistinguishable from the rest of the society.

These are in broad outline the traditional patterns of Kazakh society. They must be borne in mind in order to understand many of the ideological and doctrinary battles between Moscow and the Kazakhs, especially Kazakh leaders.

FAMILY AND VILLAGE LIFE

The Kazakh family is by nature an extended family, composed of a man, his wife or wives, his sons and their wives and children, and his unmarried daughters. If the family is rich, it may also have further kin, both married and unmarried, who are poor and maintain themselves by working for the rich. The rich family may also contain servants who are not directly related at all, and finally slaves. The typical households, however, consist only of close kin.[3]

The authority in the family is patriarchal, resting ultimately in the hands of the father or the eldest of several brothers.[4] The authority passes from father to eldest son, or if there is no son, to the eldest surviving male of the immediate family, such as a brother or nephew. The authority of the patriarch is extensive—over women and children it is all but absolute—but it is subject to certain limitations. If it is noticed that a father is squandering his patrimony in idleness or frivolous undertakings, the village elders may remonstrate with him, and

[1] Rudenko *et al*, 1930, pp. 59-60; Valikhanov, 1904, pp. 291-292.
[2] Levshin (85), 1840, p. 330.
[3] Kharuzin, 1889, pp. 107-108; Izmaylov, 1897, pp. 1-2.
[4] Valikhanov, 1904, p. 286.

one should remember that the paternal authority of the Chinese, the Japanese, or the Romans is a model for the imperial authority only by analogy, as a manner of speaking. The Confucian admonition to regard the emperor as a father is not taken literally. The Chinese imperial authority pattern is derived from other sources than the paternal role; so is the Kazakh. But Kazakh society as a whole is more steeped in the kinship relation, and hence authority in general is modeled on the paternal to a greater degree than in the other patrilineal societies mentioned.

Age is the underlying basis of authority in the Kazakh social system, since the old men are the fathers. Paradoxically, traditional Kazakh literature, both oral and written, deals mostly with young heroes. These youths are praised for their daring, strength, cleverness; they defy enemies both human and supernatural. But the hero is typically a younger prince who gains a kingdom in defiance of the law of primogeniture by subduing or outwitting his older brother; the young prince never defies the older generation. The father and elders generally support the elder brother, but they do not actively suppress the younger. In contrast, Kazakh literature of the Soviet era depicts youth defying or combatting his elders.

KAZAKH SOCIETY AND THE PARTY LINE

Throughout the history of western society, the social classes have been distinguished by differences in birth; the nobility carefully separated themselves from the taint of common blood in medieval Europe, in Renaissance societies, and in modern times. The Kazakh society—and the Mongol or Uzbek for that matter—is anomalous because it maintains class distinctions of aristocrat and commoner while affirming a general relatedness through descent from a single ancestor. There are even fictional genealogies which unite all steppe nomads.[1]

These relatively simple anomalies have caused a dilemma in Soviet publications on the nature of Kazakh society. There is social differentiation not only by birth and descent, but also by wealth. In Kazakh society, the two bases of social inequality were more or less coordinate until the victory of Sovietization. The clan leader was superior to his fellow clansmen by right of birth; the village leader was superior to his fellow villagers by right of birth; both were also richer than the other clansmen or villagers. By right of precedence they allocated the best pasture lands to themselves and decided all judicial questions in their own favor. Both wealth and social influence were based on the number of kinsmen who would support a man at a council, or before the law, or in a fight, a feud, or a war. A man of eminent birth and of wealth could get more kinsmen to support him than could a Kazakh with neither. This might seem anomalous, since theoretically a Kazakh is related to all other Kazakhs, and kinsmen help each other. But kinsmen help closer kinsmen before they help distant kin; and kinsmen help superior, influential kinsmen before they help inferior kinsmen who are lacking in influence.

[1] Aristov, 1896, pp. 394-395.

[Great Horde]

622 611 177 63 632 692 judgments were likewise restricted; and the same agnatic principle obtained: most of the inhabitants of a volost' were kin, and the volost' was in general the means for recognizing and preserving the legal integrity of the kin unit in this manner.[93] And even if the new kinship groupings were not the same as those existing prior to the Russian culture contact, nevertheless the fiction in force made those in the same volost' kin to each other, and carried forward the principles upon which Kazakh society was based, even though in an altered external form.

622 611 602 692 Both under the new and the old (i.e., before and after the Russian conquest) forms, a man stood with his kinsmen regardless of where his own sympathies might lie, and he supported the judgments of his bii[1] against all outsiders, both the more distant kinsmen and strangers. Thus through the person of the local judge the principle of agnatic kinship determined the mode of adjudicating disputes between affinally related families, between or among various auls, or persons belonging to different families, auls, sub-lineages, etc. And the relationships thus called into dispute had been established in the first place through the operation of other rules within the principle of agnatic kinship. The affinally related families necessarily belonged to different patrilineages

[93] Ibid., 4, 26.

[1] [i.e. elder; cf. Cat. 81, AHi Mongolia, p. 411 ff. -- Analyst]

632 because of the rule of lineage exogamy. The members of
611 an aul generally were related because one's most trusted
602 friend was one's closest kinsman, upon whom one could
692 place the greatest reliance for mutual aid measured in wealth or arms. And the bii himself embodied the agnatic principle because he was in the ideal circumstance the senior male in the ranking family of a Kazakh community.

177.60 One effect of culture contact at the end of the 19th
601 century, we have seen, was the organization of the Kazakhs into Russian administrative units; and despite this new mode of social organization, certain structural principles continued to exert their force: namely, the inhabitants of a given district recognized either a real or assumed kinship with others of the district. The acculturative process may be further examined to see which structural features survived as the least common denominator of
177. Kazakh life, and which were stripped away. The division
56 of the Kazakhs into estates by seniority of descent lines
565 through primogeniture and differential succession has been discussed. These estates, the white bone or aristocracy, and the black bone or commoners, did not intermarry until after the Russian conquest, when the young people of the succeeding generation, that is, from the late 1880's and on, began to ally themselves in marriage, regardless of white or black estate, without difficulty.[94]

---

[94] Dingelstedt, 146.

596 could make no such allotment; the herd belonging to such a family was too small to allow for such a division.[98] Therefore it was held in common supporting those whom it could support, while those who were in excess might go off to join the family of a kinsman. The practices governing inheritance will be taken up below; here only certain aspects of family property can be treated. The son to whom allotment during the lifetime of the father was made on the occasion of the marriage of the son, lived and herded in common with his father.[99] Rights in the family property continued to be recognized even after brothers had separated, for example, if one brother died without male heirs, the family property passed to surviving brothers even if they did not live communally.[100]

543 671 602 685 The general position of the family in the social structure of the Great Horde may be drawn from its situation before the law. The criminal law of the Great Horde, as codified by Grodekov, had a number of references to the manner whereby theft within the family was handled. The Kazakh law in the matter of felony corresponded to what Durkheim has called restitutive law, rather than to his category of repressive law; and to the private delict in the somewhat more cumbersome terminology

---

[98] Ibid., 2; Radloff, op. cit., I, 513.

[99] Izrastsov, 3.

[100] Ibid., 70.

[Great Horde]

573
671
602
685

of Radcliffe-Brown.[101] The rustling of cattle (baranta/barymta) was permitted in the following circumstances, according to information received by Grodekov from the biis of the Great Horde:

1. By the son from the father, or the son's son from the grandfather, regardless of how many times or how much property was involved. On the other hand, the father had the right of seizure of the entire property of the son; the father had the right to indenture his son for annual terms, and the money thus earned was applied to the father's estate, i.e., the family property.

2. Stealing between sons of brothers could not be punished:

3. The sister's son might request aid from the uncles (mother's brothers). If this aid was not forthcoming, the sister's son (dʒien) might make up to three seizures on the property of the mother's brothers. If he made seizure beyond that number of times, the difference was taken away from him. If he should steal a courser, the maternal uncle might require a return of like value. If the sister's son stole a fourth time, the maternal uncle might tell him: "Thou losest the rights of a nephew."

602
685

4. Among kin related beyond the third degree (those with a common father's father), seizure was permitted, with the obligation to repay, however, as soon and as

---

[101] Durkheim, Division of Labor, 112 ff; Radcliffe-Brown, Primitive Law.

602 much as possible, in the following circumstances: (a) for
685 payment of bridewealth (kalym), since the increase of descendants and the need to marry was a desirable thing; (b) for the payment of a debt (to a stranger); (c) in time of famine; (d) for a necessary journey, or in pursuit of bandits, rustlers, etc.[102]

602 The degree of mutual support and dependence may be
593 directly inferred from these sections of the criminal code: the father, the father's brothers and the father's father were effectively regarded as one social unit, from the viewpoint of the son. Property rights were in common, at least before the law. Relations between sons of brothers were only slightly more distant as measured by these practices of restitution and the recognition of felony. Mother's brothers and sister's sons were about in the same category as father's brother's sons; seizure beyond these degrees of kinship was reckoned as theft except under specified circumstances.

604 Important to note, although its fuller implications
601 must be left for later discussion, is the significance of the avunculate: the mother's brother was under strong obligations to the sister's son, his dzien.[1] An identical practice is found among the Kalmuks, and even the two terms (Kalmuk zē/dzē) are cognate terms. There is a clear and demonstrable correlation between the termi-

[102] Grodekov, 160-162; cf. Dingelstedt, 148.

[1] [Cf. cat. 602, pp. 421-422 -- Analyst]

[Great Horde]

rejoicing and celebration, while if it was a girl, no celebration at all took place.[136]

The wife never ceased to maintain a significant relationship with her father's family, and she was never fully incorporated as a member of her husband's lineage and family. The fire ceremonial may be regarded in the same light as it is elsewhere on the steppe; its function is a propitiation by the wife of the spirits of the husband's line, a part of the shamanist religion, in which her spirits were antipathetic to his. Sociologically as well as religiously, moreover, the wife continued to retain her ties to her father's line. Thus if the husband killed his wife, he had to pay a fine of a full kun of 200 horses, the amount paid by a convicted murderer in restitution to the family of the victim.[137] If the wife committed suicide because of her husband's maltreatment, the husband paid half a kun, or 100 horses, to her family.[138]

The social position of the wife may be further clarified by an examination of the kalym. If this were an economic and legal transaction pure and simple, her position would be clear: she would have to be regarded as a res or chattel, and kalym could then be translated as

---

[136] Radloff, op. cit., I, 475-477.

[137] Izrastsov, 67.

[138] Ibid., 93.

586 a family would see to it that the husband would not get rid of the woman who was valuable both for her fertility and for her capacities as a worker, and it took place as a rule only if the woman were incurably ill, or for like reasons.[154]

587 In the event that the husband was known to be impotent, the wife took a second husband from the family of the first--"in order not to have discredit cast upon her in the eyes of others." The new husband paid a kalym called the kalym of kinship, which was materially lower than that of the original kalym, and whose ratio was in inverse proportion to the degree of consanguinity between the two men concerned. The children of the divorced couple remained with the family of the first husband, but a son who was of age had the right of choosing among his kin; also, an eldest daughter could often follow her mother.[155] Among the wealthy, there was usually no question of divorce, since a husband could easily afford another wife.

[586]

Criminal Law in its Relation to the Kinship System

491
602
613 A distinction between theft of cattle--rustling--in general and seizure from specified kinsmen--baranta--

[154] Izraztsov, loc. cit.

[155] Dingelstedt, loc. cit.

681
602
613

was made in Kazakh legal practices. A number of distinctions likewise existed in the punishments for taking a life. No provision was made for repressive punishment, the only practice known was restitution if it was determined that a wrong had been committed. The penalty involved was the payment of a whole or a part of a kun or wergeld. The basic kun, mentioned above, was 200 baital (baital is a horse in good condition, or the equivalent). This might vary somewhat; for example, the kun in the vicinity of what is today Alma Ata was 200 horses, 100 sheep, and a camel, or roughly 225 baital (five sheep equalled one baital, a camel equalled five baital) toward the end of the 19th century. The taking of a woman's life, other than one's wife, required the payment of half a kun.[156]

If a man was killed in a fight or in a raid, only a partial kun was paid. Of significance to the kinship system in relation to the criminal proceedings is the fact that there was always voluntary aid by the kin of a murderer, even if the murderer were wealthy, and could afford the amount himself. On the other hand, if the murderer and his kin could not make up the sum among them, wider circles of kinsmen were called in, contributing in proportion to the degree of closeness of kinship,

---

[156] Israstsov, 12.

681 provided the man was of good standing in his community.[157]
602 If the sum could not be made up by these means, it was
613 made up by giving the daughter in marriage to a descendant of the victim, provided the daughter was not yet betrothed. It was stated, although how much meaning may be attributed to it is far from clear, that the making over of from two to four daughters could stand in lieu of a kun.[158]

The implication of such payments and the participation of the kin involved is that it is one lineage which is indemnifying another lineage for the loss of a member. The fact that a daughter could be given in partial quittance of a wergeld indicates that the offending lineage recognized that it had endangered the continuity of another and the daughter offered was a means of meeting that danger. The Turks of the Orkhon-Yenisei, it will be recalled, offered a daughter in payment for the putting out of an eye; it is possible that this practice had a similar meaning.

The recipient of the wergeld, i.e., the injured lineage, distributed it in a significant fashion: on receipt of the full amount, the kin of the victim (the sub-lineage as a rule) took one-half, which it further

---

[157] Ibid., 13.

[158] Ibid., 14.

[Great Horde]

681 distributed among the elders of the clan or lineage, etc.
602 The remaining half was further divided, part being dis-
613 tributed among the more distant kin of the victim; how much was thus given out was up to the family of the victim, but it was impossible to give nothing. A slighted kinsman would appeal to the elders of the community, and was given a share of the kun proportional to the closeness of kinship. The remainder was divided among the sons of the victim, or if there were none, among the next of agnatic kin.[159]

177.68 The unit for payment[1] after the reorganisation of
681 Kazakh society under Russian impact was the aul; despite
621 the composition of the village at this time by segments of various lineages, it continued to act through a convenient fiction as though it were a unitary kin group. Support for payment of the kun was drawn from neighbors within the aul and from the kinsmen, both of whom were treated sociologically as a unit. If the guilty refused to pay, then the lineage or the clan, now settled in a volost', simply raided the guilty man's herds and made seizure of the requisite amount.[160]

The biis[2] would often require that kin in the seventh
622 degree of agnatic kinship take the oath in support of the
602 accused. By this was meant, if the man were adjudged
695
613
177.
69

---

[159] Idem.

[160] Radloff, op. cit., I, 525.

[1] [i.e. of wergeld; cf. cat. 116, AHI Mongolia, p. 448ff. --Analyst]

[2] [on the biji, cf. cat. 116, AHI Mongolia, pp. 411-412 -- Analyst]

622 602 695 613 177 69 177 69 695 602

guilty, the kin up to the seventh degree would be required to support him in the payment of the indemnity. Such a proceeding took place in 1885, some years after the Russian conquest, and represents a certain hardening of the judicial practice; nevertheless, this hardening was precisely of those features observable in Kazakh society in the previous era. The power of the bii's decree now had the force of a court sentence, backed up by an absolute coercive instrument: a police system, a state mechanism, and so forth; but the person of the bii, and his kinship and social relations were more or less the same as before. The number of degrees of kinship recognised in a judgment were now fixed, but they were the same relationships which had been more vaguely defined in the preceding era.[161] Moreover, the entire proceeding was reported by an officer of the court to the Russian authorities; this signalizes the fact that the judges now had to bear in mind how the Russian provincial administration would respond to a judgment of a certain sort. Nevertheless, from all this we may see how vital the principle of kinship remained in the processes of adjudication, even under conditions of acculturation. We may observe how considerations of kinship operated in the legal process; and how legal data are significant in the interpretation of the consanguineal system.

---

[161] Dingelstedt, 520.

681
602 We have dealt thus far with relationships of the law to the system of consanguinity; but there were also important relationships to the affinal system. One such relationship has already been mentioned, the fact that a husband and his kin were obliged to pay the full kun to the family of the wife if he killed her. Now the children of the murdered mother in this case got nothing,[162] and the reason for this is clear. They were reckoned in the paternal kin group, and thus suffered doubly: from the loss of a mother, and from the burden of the wergeld which they had to bear as part of the father's line.

On the other hand, if the wife was murdered by a stranger, the kun was divided equally between the wife's father's kin and the kin of the husband. If a betrothed girl was murdered, the father of the girl and his line received the entire kun, and the family of the affianced youth was presented with a choice, either to accept a sister of the victim, or to have the kalym returned and [562] seek elsewhere for a wife.[163] The ambiguous situation of the woman could not be expressed more sharply in Kazakh life than by the process of division of the kun[1/1] if her life was taken: she was regarded as belonging fully to no group, neither to the husband's nor to the father's.

---

[162] Izrastsov, 14.

[163] Idem.

1/1 [i.e. Wergeld; cf. cat. IIb, AHI Mongolia, p. 44ff. --Analyst]

695 602 The role of affinal kinship in the legal process may also be deduced from the fact that in addition to support by one's agnatic kin (father, son, brother, father's brother, etc.), one could also call on one's wife's sister's husband to take the oath on one's behalf, provided that his loyalties had not already been engaged on the other side. Cognatic kin, too, played a role: the sister's son, and the mother's sister's son (maternal parallel cousin).[164] The relationship of the mother's brother nagaŷ to sister's son or džien has already been mentioned in respect to the payment of the kalym, or debts to strangers, and so forth. It is simply a further pursuit of the same principles to observe it in the restitutive process of the law as well.

602 The new kinship relationships that are brought out here relate to the closeness of mutual support between husbands of sisters, those who are badža to each other, and sons of sisters, those who are bǔle to each other. A quite different principle is to be observed in these relationships: the avunculate, nevertheless, implied no systematic restructuring of the system of agnatic relationship. In the case of children of sisters, those who are bǔle to each other, it is quite clear that there is indeed a systematic attack on the agnatic principle, because in addition to the mother's brother

[164] Ibid., 51.

602 relationship, a man must now be aware of, respond to the economic and legal implications of, a relationship through the mother's sister. In the light of this, we must re-examine the lines of consanguinity, and we find that the agnatic line no longer satisfies all the relationships involved, or even the major proportion of them. Descent is significant in the light of the data here presented through the grandfather in general, and not through the father's father alone. A man can call on me for help if he shares a common grandfather with me, and conversely, I can call on him. This is a cognatic relationship, and not at all an agnatic one, which in the present context is of considerable theoretical interest.

673 681 593 A final relationship between the kinship system and the law on the steppe which is to be discussed is the legal personality of the family. The family was a person before the criminal law of the Great Horde, as it was in other parts of the steppe. Thus, if a father killed his son, no legal proceeding could be undertaken against him; nor could the law intervene if the son killed his father. The family unity could not be invaded, that is, by outside forces. Again, if the father was alive, and a brother killed a brother, the legal process could not intervene; and even if the father were dead and the sons had moved apart, only a small sum was paid to the family of the victim, more a token payment than a true wergeld.[165]

[165] Ibid., 15-16.

[Middle Horde]

reciprocal one; on coming of age, the son could make no more demands on the father; the allotment made was at the same time a quittance of further obligation.

A distinction was made between the inheritance of real property and the transmission of such intangibles as authority. The father was the absolute lord in his family, and his authority passed, in accordance with the principle of primogeniture, to the eldest son, or lacking a son, to a brother of the deceased. Related families were gathered into villages, aul, and a village elder, or bii, generally had a position of influence in public affairs, and a limited amount of authority in intra-family matters. Thus there was a limitation on the paternal power.

The leadership of a sub-lineage, a village, or a family, passed in the direct line through the eldest sons.[168] The status of bii some decades later, in the 1860's, is described as quasi-hereditary, and a case is cited by Valikhanov in which it remained in one family through four generations.[169] The office later came to be appointive, and only quasi-hereditary.

Among these Kazakhs of the Middle Horde, one means of settling disputes is reported as having especial promi-

---

[168] von Lebedour, II, 459-461.

[169] Valikhanov, 162.

[Middle Horde]

695 nense, the use of affinal ties. The bii would propose
602 that a youth of one side marry a sister of the other; or
584 alternatively, that one party marry off his son to a daughter of the other, provided that neither is already betrothed. The disputants would then embrace and call each other kuda, father-in-law of the respective children. In such a case, the children must be eligible to marry according to the rules of exogamy.[170] The close interrelation between the kinship system and the law is demonstrated in the interfunctioning of both consanguineal and affinal relationships in the adjudicative process.

177.69 The legal process continued to function within the
695 kinship system even under conditions of acculturation,
428 as evidenced in the following case among the Kazakhs of the Middle Horde in the 1870's. A man had two older brothers who had been allotted their shares of the father's estate during the lifetime of the father, while the youngest remained by his father's side until the death of the latter. Through the principle of ultimogeniture, the residual property should have gone to the youngest son, but the two older brothers threatened to take the herds and pasturage away from him. The youngest brother then appealed to his legal authorities, the biis of his community. (Note: the Kazakhs of the Middle Horde had been

---

[170] Ibragimov, 237.

584
602 The decision as to the time for betrothal conversations, and the decision as to whom to request as a wife rests on the unconditional discretion of the father.[185] Neither of the betrothed has any say in the matter, nor have their mothers, for authority is patriarchal. In the initiation of betrothal arrangements, a go-between, a close kin or friend of the boy's family, is sent to the family of the girl.[186] Why a go-between? It is insufficient to say that there is a stern taboo on contact between boy and the family of the bride, and that therefore a go-between is necessary. Such a taboo existed, and took the following form: the affianced youth could not show his face to his prospective father-in-law, mother-in-law, brother-in-law, nor to any older agnatic kin of the girl's father until the day of the marriage itself. The future son-in-law either had to hide himself quickly or run to the side if he should encounter them by chance. This was explained by the Kazakhs as (1) a reflection of respect for one's elders, and (2) the attitude of a debtor who has not acquitted himself fully of his debt.[187]

However, this taboo does not explain why the youth's

---

[185] Altynsarin, 103; Balliuzek, 69; Karuts, Von Kirgisischer Hochzeit, 37.

[186] Balliuzek, 71; Altynsarin, 104.

[187] Altynsarin, 108.

[Little Horde]

father preferred not to represent his son. The understanding of the role of the go-between and its necessity involves the entire relationship between the two affinally related families. The wife-givers lost a daughter and her dowry, they acquired bridewealth in exchange; they also gained prestige, as Leach has put it, for the husband and his family regarded the wife's kinsmen as occupying a socially higher position than their own, comparable with the Kalmuks (Aberle) and the Ordos (Mostaert) as well. In the case of Adai's lineage, one of the component sub-lineages was senior to the other, but this seniority was a matter of collateral ranking of lineages; it had nothing to do with the affinal relations involved here, even though the same people were involved. The affinal 'prestige debt' was wiped out between the two sub-lineages over the course of time, through the normal exchange of daughters in marriage; it was a reciprocal relation, whereas seniority is not a reciprocal relation at all. The youth's family went to the bride's family as seekers, they were as a social group in an inferior position to the future wife's family, not the would-be husband alone. The sending of a go-between is an expression in a modified and less stringent form of the general avoidance practice between future son-in-law and wife's family, for the youth's family was the debtor, and not the youth alone, they were the wife-seekers, the payers of respect.

[Cf. ch. VI, AHI Mongolia, pp. 466-467--Analyst]

584 parted with. Again, if the father of the deceased girl declined to supply the boy with another daughter, he was required to pay back the entire kalym which he had already received, and pay an indemnity in addition.[199]

In the process of making the marriage arrangements, the go-between brought the two families together. The primary concern in these arrangements was the amount of kalym, and the amount of dowry. The kalym was paid over 585 602 a period of years, during the course of which ceremonies to the number of seven were celebrated; the sixth ceremony was held as the bride left her father's residence and was usually associated with the completion of the kalym payments.[200] A part of this ceremony was a mock abduction of the bride and a mock struggle between her partisans and those of the groom, in which a degree of suppressed antagonism was given free expression, both between women and men, and between the two kin groups about to become related by marriage. It was only on this occasion that the groom could move freely in the presence of his wife's elder kinsmen; the taboo on his relationships with them was now lifted. The seventh and final ceremony was performed on entering the new tent of the husband.[201]

---

[199] Balliuzek, 87-88.

[200] Karutz, Kirgisische Hochzeit, 37-38.

[201] Ibid., 39-41; Plotnikov, 131-132, 135.

[Little Horde]

583 If a man really abducted a daughter from her family, his family was required either to furnish a daughter in exchange from its own midst or from among the closely related families, or to pay a full kalym for her. If the girl herself was returned after the abduction, an indemnity was imposed on the family of the abductor, since the girl could no longer command a full kalym.[202] Abduction for cause, however, such as delay in surrendering the bride after the kalym had been paid in full, could not be punished.[203] The requirement of the full kalym for an abduction was in itself a kind of imposition of an indemnity, for it placed a great economic burden on a family which ordinarily demanded years to get rid of, an indemnity which in the case of an unlawful abduction had to be paid in a short term.

596 602 From the data on the payment of the kalym,[1] it may be seen that the family was patriarchal in authority, patrilineal in descent, and patrilocal in residence. There is a certain amount of evidence that the family of the groom paid a psychic capital in the form of prestige and respect to the family of the bride, in addition to the material goods which exchanged hands. The taboo on face-to-face contact between the youth and his pro-

---

[202] Balliuzek, 82.

[203] Ibid., 79-80.

1 [Cf. especially, Cat. 116, AHI Mongolia, p. 477ff. -- Analyst]

[Little Horde]

596 spective wife's elder male kin is but one aspect of
602 this respect relationship, another being that of the function of the go-between, and the initiation of the betrothal proceedings by the family of the groom, who came as supplicants for the daughter-in-law. Nevertheless, a family did not wish to have daughters, it desired sons, even though it might gain some prestige
[481] by marrying the daughters off. The emphasis on sons[1] is a correlate of the patrilineal orientation of the entire society, its patri-centrism in values.

595 The Kazakh family of the Little Horde, as elsewhere on the steppe, was polygynous if it could afford to be. On the Mangyshlak peninsula at the beginning of the 20th century it was estimated that 50 percent of the marriages were monogamous and the other 50 percent consisted of two wives, although the Kazakhs were permitted as many as five in theory. The motivation for seeking a second wife was accounted to be childlessness[204] and is exemplified in the proverb, "The more mares the more colts."[205] The Kazakhs were fully aware that the solution of one problem, the need for children, precisely, male issue, in turn raised another issue, that of possible conflict between the wives. The wives therefore were kept in separate tents;[206] again, a man rarely married a second wife without the prior consent of the first wife[2]

[204] Karutz, Kirgische Hochzeit, 42.

[205] Altynsarin, 103.

[206] Karutz, loc. cit.

[1] [cf. especially, cat. 116, AHI Mongolia, p. 478 -- Analyst]

[2] [for text note cf. cat. 116, AHI Mongolia, p. 482 -- Analyst]

602 system of generation up-grading and down-grading in the
614 terminology.

Let us now consider the problem of the end in view of the genealogist. This man was Samoilovich's informant, the aul and lineage elder, M. Chamov, who was establishing a direct senior descent from the lineage founder, Karatai, and the senior descent of the Karatai lineage in the Ergenekti clan; in his conception, the line proceeded directly from Ergenekti to Kekzhardy and thence to Karatai, and no allusion to any cadet line whatsoever was made. This he did by asserting that Boranchy had indeed called Kekzhardy ata, but in the sense of Fa Fa, and not Fa Ol Br, a claim which was certainly in keeping with, and not contradicted by the system of kinship terminology. Thus a genealogy is propounded not merely to establish a descent group as such, nor merely to validate a claim to membership in that descent group, but also to assert certain rights of the descent group as over against other possible claimants in the matter of seniority, and the correlative leadership, prestige and precedence. Moreover, the genealogy is closely related to the ritual number seven, or twice seven. Again, the lineage of Karatai is composed of a number of sublineages, including the Sargaldak, Dölöt, Shong-murun and Kendje-Chagyr; of these the Sargaldak is proposed by Chamov as the senior one, that being Chamov's own